

COUNCIL WORK MINUTES
OCTOBER 9, 2019

MEMBERS PRESENT: Mayor Maile Wilson-Edwards; Councilmembers: Ron Adams; Paul Cozzens; Terri Hartley; Craig Isom; Scott Phillips.

STAFF PRESENT: City Manager Paul Bittmenn; City Engineer Kit Wareham; City Attorney Tyler Romeril; City Recorder Renon Savage; Finance Director Jason Norris; Police Chief Darin Adams; Fire Chief Mike Phillips; Leisure Services Director Ken Nielson; Director of Golf Jared Barnes; Economic Development Director Danny Stewart.

OTHERS PRESENT: Teri Kenney, Ronald Shelley, Darlene Shelley, Dallas Buckner, Don Oswald, Joel Hansen, Brittanie Parry, Tom Jett, Susan Tyner, Mallorie Gale, McKenna Dodge, Kylie Peterson, W. Tyler Melling, Mark Reynhders, Chris Dahlin, Derrick Dutson.

CALL TO ORDER: Ken Neilson gave the invocation; the pledge was led by Jared Barnes.

AGENDA ORDER APPROVAL: Phillips – I would like to table item #11 so we can have more discussion on the fences and the height. Councilmember Phillips moved to approve the agenda order tabling item #11; second by Councilmember Hartley; vote unanimous.

ADMINISTRATION AGENDA – MAYOR AND COUNCIL BUSINESS; STAFF COMMENTS: ■ Isom – I have people concerned about the speed on Royal Hunte between Ridge and 1850 West, they say there is a work order for speed limit signs to be put up. They are concerned about the timing of getting those put up. Kit – the work order has been sent through. ■ Phillips – thank everyone who came out last Saturday and helped spruce up downtown, we had a great group. Many hands make light work. Second, I want to know if we can address 1425 North and Northfield Road, there is a large pile of construction material, weeds and debris that needs to be cleaned up. Kit – we have been dealing with that pile for a year and no one wants to take responsibility, we may have to have the Street Department clean it up. Hartley – I think I know who dug it up and I will try and find out who hired them before we do anything. ■ Cozzens – Fred Rowley called, and 400 South 1100 West is a block wall with graffiti, can we get it cleaned it up. It is innocent but we don't want to encourage others. Phillips – I will contact Paul Rhodes. Cozzens – I would like to have more discussion on ways to take care of the water bill the gentleman came in with, is there something we can do so it doesn't get so out of hand. Tyler – Staff has talked about this as well, I will set up a meeting with staff to go over the ordinance to find a way, so the hole doesn't get dug so deep. Paul – the gentleman that came in is not the person that came in, the owner has health issues and does not live here. With that person leaving town, the last thing they thought about is shutting their water off, we didn't know that and we keep moving forward. We can put some stops in there. The account was shut off, but the account kept going, we could look at discontinuing accounts, but we don't want to do that all the time because we shut

people off all the time. Cozzens – we need to think about it. Mayor – we will get some suggestions and bring it back. ■ Mayor – our meeting schedule for the rest of the year. We don't have a meeting the last week of October or November. We are wondering if we can switch December to only meet on the 4th and 11th. December 4th would be an action and work meeting. The Council was ok with that. Phillips – I read the public notices for October 16th, it said it was an action meeting. Tyler – I made two mistakes, I missed a deadline for notice on zone changes that need to be on the work meeting next week. So, I put the public hearing on the action agenda but forgot to change the date. I am hoping the Mayor will take comments on both dates. Cozzens – Gail Stahle that owns the Today, it has far better circulation than the Spectrum, it has to be local paper. I would like to propose that we give them more business. Paul – we use both papers, we use the Today more because it is less expensive. Renon – we publish all of our ordinances and we do public hearings when the deadline works out, but that doesn't always happen. If we can't meet the deadline for the Today we publish in the Spectrum.

PUBLIC COMMENTS: There were no comments.

CONSENT AGENDA: (1) APPROVAL OF MINUTES DATED SEPTEMBER 18 (WORK) & 25, 2019; (2) APPROVAL OF BILLS DATED OCTOBER 4, 2019; (3) APPROVE BIDS FOR THE GOLF COURSE FRONT 9 IRRIGATION SYSTEM CONTRACTOR. JARED BARNES; (4) APPROVE BIDS FOR THE GOLF COURSE IRRIGATION SYSTEM MATERIALS. STEVE CARTER; (5) APPROVE DISPOSAL OF CITY PROPERTY. MIKE PHILLIPS; (6) APPROVE ACCEPTING A FEMA ASSISTANCE TO FIREFIGHTER GRANT IN THE AMOUNT OF \$684,300. MIKE PHILLIPS: Phillips – two questions on the bills, the Bobcat bill, Jason – the Sewer Department trades in their bobcat each year. Phillips – the payoff to the FAA, it is coming back, the \$1,259,000. Jason – yes.

Councilmember Isom moved to approve the consent agenda items 1 through 6 as written above; second by Councilmember Cozzens; vote unanimous.

CONSIDER AN ORDINANCE AMENDING THE GENERAL LAND USE PLAN FROM LOW DENSITY TO HIGH DENSITY FOR PROPERTY LOCATED APPROXIMATELY AT 3200 WEST SOUTH MOUNTAIN DRIVE. GO CIVIL/TYLER ROMERIL:

Joel Hansen – after the work meeting, I wonder if you have any other questions. The deed restrictions and preliminary layout that was sent out to you. Hartley – I want to express my concerns on the layout with phase 1, the higher density is it compatible to the residential neighborhood. People don't want the higher density and it is R-1 all around you. Is there a possibility of doing a RDO, does your project qualify? Joel – not necessarily, RDO is used for a larger parcel. Hartley – it only has to be 10 acres. Joel – it is a very labor-intensive project to look at what goes into an RDO, it is still less than 3 units per acre. Hartley – the other project is how it controlled it not being changed. I am not comfortable with a deed restriction, we don't want to monitor that. Joel – the deed restriction would be recorded in the CC&R's. Phillips – when will you start the project? Joel – we would start to design the project, but it would

probably be two years before it is developed. Paul – we asked Don to come if you have questions on the RDO. Joel – I am aware of the RDO process.

Councilmember Phillips moved to deny and keep it at R-1 density; second by Councilmember Cozzens; roll call vote as follows:

Ron Adams	-	AYE
Paul Cozzens	-	AYE
Terri Hartley	-	AYE
Craig Isom	-	AYE
Scott Phillips	-	AYE

CONSIDER AN ORDINANCE AMENDING THE ZONE FROM R-1 TO R-3-M FOR PROPERTY LOCATED APPROXIMATELY AT 3200 WEST SOUTH MOUNTAIN DRIVE. GO CIVIL/TYLER ROMERIL:

Joel – I understand the council’s decision, as we looked at it, Eagle Ridge is the way it is because we made it that way. If we have to develop as R-1 it will be mass grading, cut down trees and put 10,000 square foot lots, we don’t want to do that, but the City is saying we have to. I will cut down the ridge and put lots on it. Is that what we want. Hartley – we are not saying that, but what you are asking is outside the zoning and master plan for the City. We are not telling you to cut the ridge, it is your property and you can develop with the ordinances that are in place.

Councilmember Phillips moved to deny ordinance amending the zone from R-1 to R-3-M; second by Councilmember Isom; roll call vote as follows:

Ron Adams	-	AYE
Paul Cozzens	-	AYE
Terri Hartley	-	AYE
Craig Isom	-	AYE
Scott Phillips	-	AYE

CONSIDER AN ORDINANCE AMENDING THE ACCESS REQUIREMENTS FOR CITY SUBDIVISIONS. GO CIVIL/TYLER ROMERIL: Tyler – this would allow to a subdivision to access a dedicated paved road.

Councilmember Cozzens moved to approve the ordinance amending the access requirements for City Subdivisions allowing them to have access to a paved dedicated street, City, County or State; second by Councilmember Phillips; roll call vote as follows:

Ron Adams	-	AYE
Paul Cozzens	-	AYE
Terri Hartley	-	AYE
Craig Isom	-	AYE
Scott Phillips	-	AYE

CONSIDER AN ORDINANCE CREATING CEDAR CITY'S WILDLAND URBAN INTERFACE ZONE. MIKE SHURTZ, FIRE MARSHALL:

Mike Shurtz -- this is the Wildland Interface zone that we brought to you for your consideration. Cozzens -- we talked about it, any feedback with concerns. I feel it is another major layer of red tape. In your opinion will this add another layer of bureaucracy and more money. Mike Shurtz -- since 2007 it has been in place in the County, it is County wide. It is so we can evaluate properties as they come to us. I can't speak to the costs, but it is another check and layer for us to look at and apply language. When we presented it to the Homebuilders they were not opposed, they felt it was consistent with the County and as we build to the county in other areas we need other restrictions on slopes and vegetation. I am not sure it will add significant cost, but it does add a step for us. Cozzens -- we just talked with Joel Hansen, if approved, if they didn't provide defensible space it would be require other materials. Shurtz -- this is just the map. As we bring the code it will go through Sketch and Planning Commission and we will get the comment on that. The County version is 4 prong, access grades, water supply, vegetation and fire resistible construction. The way the code is set up they are interrelated. If they didn't do the defensible space, they would do the fire-resistant construction. It puts it back on the developer, home builder and owner. Cozzens -- I was looking at Cedar Highlands, the vegetation is so close now, does it not apply to them where they are incorporated. Mike -- this only applies to Cedar City limits; the County has a fire warden they employ, and he does the enforcement. Fire planners and managers when they look at a development like Cedar Highlands it is a very fire prone area. Phillips -- is this not looked at like a flood zone, in theory it should help with insurance rates. Mike -- when we met with the Homebuilders there were a few insurance people and they said it is on their radar. Phillips -- if we adopt the map, we will not totally destroy the landscape. Shurtz -- no, they could but it is not required. There are criteria for a defensible space and the Fire Department will be involved with helping in that process. We do Certificate of Occupancy for smoke detectors, this would be part of that. Mayor -- will the map be revised occasionally. Mike -- the State calls for us to revisit at least every 3 years for the map, but if they clear that in the interim, we would look at that. If someone wants to get the red off the map it is a 3-year process. Adams -- I think it is a good process, we have a lot of fuel in the outlying areas. It is safety for our citizens, we have seen entire cities destroyed in other parts of the country. California turned power off to a million citizens today to prevent fire. Mike -- we looked at a study out of Western Montana and the study determined that the cost was very minimal, they were using a lot of cedar siding on in that area and the other siding was cheaper. I am not an estimator and I don't know what the industry is doing with building materials.

Councilmember Isom moved to approve the ordinance creating the City's Wildland Urban Interface Zone; second by Councilmember Hartley; roll call vote as follows:

Ron Adams	-	AYE
Paul Cozzens	-	AYE
Terri Hartley	-	AYE
Craig Isom	-	AYE
Scott Phillips	-	AYE

**CONSIDER AN ORDINANCE AMENDING THE DEFINITION OF A SIGHT
OBSCURING FENCE. KIT WAREHAM:** Tabled.

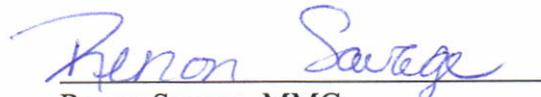
**CONSIDER THE ACCEPTANCE OF A PROPERTY DONATION TO THE
CITY'S ANIMAL SHELTER. TYLER ROMERIL:** Councilmember Cozzens moved to deny accepting the donation of property in Beryl for the Animal Shelter; second by Councilmember Phillips; vote unanimous.

**CONSIDER BIDS FOR THE VETERAN'S CEMETERY STREET
IMPROVEMENT PROJECT (1600 NORTH & VA WAY). KIT WAREHAM:** Kit – we received bids for the Cemetery Road project. The roads we bid is 1600 South Street, a master planned road, improved from the intersection of Home Depot to 150 feet past the intersection going to the tank and the road to the tank that will have 4 platted lots on the high side of the road. We received four bids, the low is Precision Contractors in the amount of \$477,708.56, the engineers estimate was \$556,000.

Councilmember Hartley moved to approve the bid from Precision Contractors in the amount of \$477,708.56; second by Councilmember Isom; vote unanimous.

Paul – as a side note the 4 lots are city owned. Mike took me to look at them and he would like a lot for a fair station, that station would have the best view of any fire station around.

ADJOURN: Councilmember Isom moved to adjourn at 6:10 p.m.; second by Councilmember Phillips; vote unanimous.


Renon Savage, MMC
City Recorder